

AN ACT

ENTITLED, An Act to make appropriations from the water and environment fund, the environment and natural resources fee fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for various water and environmental purposes, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of three million five hundred thousand dollars (\$3,500,000), or so much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing grants and loans to project sponsors under the consolidated water facilities construction program established pursuant to § 46A-1-63.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 2. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million five hundred thousand dollars (\$1,500,000), or so much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing a grant to local project sponsors for the engineering design, preconstruction activities, and construction of the Lewis and Clark rural water system as authorized in § 46A-1-13.10. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 106-246 as amended to January 1, 2005. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 3. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million five hundred thousands dollars

(\$1,500,000), or so much thereof as may be necessary, to provide funds to the South Dakota Board of Water and Natural Resources for the purpose of providing a loan to the project sponsors to be used for the engineering design, preconstruction activities, and construction, of the facilities included in the Perkins County rural water system as authorized in § 46A-1-94. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 106-136 as amended to January 1, 2005. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 4. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing a grant to the project sponsors to be used for a feasibility phase study and other activities of the James River restoration project as authorized in § 46A-1-13.9. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 5. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing grants to local project sponsors to be used for the development, evaluation, and review of water management studies related to the development of regional water supply systems in or near the Black Hills of South Dakota as authorized in § 46A-1-13.8. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 6. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of eight hundred thousand dollars (\$800,000), or so much thereof that may be necessary, to the South Dakota Board of Water and Natural Resources for

the purpose of providing grants and loans to project sponsors under the solid waste management program established pursuant to § 46A-1-83. Funds shall be provided according to the terms and conditions established by the Board of Water and Natural Resources.

Section 7. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant to §§ 34A-6-81 to 34A-6-84, inclusive, the sum of one million dollars (\$1,000,000), or so much thereof that may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing grants and loans to project sponsors for the construction, enlargement, or upgrade of regional landfills. Funds shall be provided according to the terms and conditions established by the Board of Water and Natural Resources. Notwithstanding § 46A-1-67, the term of years for loans under this section may be extended to the useful life of the facilities being financed.

The department may use up to one hundred thousand dollars of the funds appropriated by this section, to contract for the statewide cleanup of waste tires and solid waste. Notwithstanding § 46A-1-61, the department may fund up to one hundred percent of the nonfederal share of statewide waste tires and solid waste cleanup projects.

Section 8. There is hereby appropriated from the South Dakota environment and natural resources fee fund established pursuant to § 1-40-30, the sum of one hundred thousand dollars (\$100,000), to the Department of Environment and Natural Resources for the determination of selected total maximum daily load limits as required pursuant to the 1998, 2002, and 2004 South Dakota 303(d) waterbody lists developed pursuant to the federal Clean Water Act § 303(d) as amended to January 1, 2005. Any funds appropriated by this section that are not expended for the authorized purpose shall be deposited in the South Dakota water and environment fund established pursuant to § 46A-1-60.

Section 9. There is hereby appropriated from administrative expense surcharge fees deposited in the South Dakota state water pollution control revolving fund program subfund established pursuant to

§ 46A-1-60.1, the sum of three million dollars (\$3,000,000), or so much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing grants to project sponsors for the construction of animal waste management systems at livestock auction markets and other water quality grants under the state water pollution control revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 10. There is hereby appropriated from administrative expense surcharge fees deposited in the South Dakota state water pollution control revolving fund program subfund established pursuant to § 46A-1-60.1, the sum one hundred thousand dollars (\$100,000), or so much thereof as may be necessary to the South Dakota Board of Water and Natural Resources for the purpose of contracting for the preparation of applications and administration of clean water state revolving fund loans under the state water pollution control revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 11. There is hereby appropriated from administrative expense surcharge fees deposited in the South Dakota state drinking water revolving fund program subfund established pursuant to § 46A-1-60.1, the sum one hundred thousand dollars (\$100,000), or so much thereof as may be necessary to the South Dakota Board of Water and Natural Resources for the purpose of contracting for the preparation of applications and administration of drinking water state revolving fund loans under the state drinking water revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 12. There is hereby appropriated from the South Dakota state drinking water revolving fund program subfund established pursuant to § 46A-1-60.1, the sum of one hundred sixty thousand

dollars (\$160,000), or so much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose of providing small system technical assistance set-aside grants to project sponsors under the state drinking water revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 13. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to make appropriations from the water and environment fund, the environment and natural resources fee fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for various water and environmental purposes, and to declare an emergency.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1215

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1215
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State